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9
10 Attorneys for Defendants FORTY NINERS FOOTBALL
11 COMPANY LLC, FORTY NINERS SC STADIUM
12 COMPANY LLC, FORTY NINERS STADIUM
13 MANAGEMENT COMPANY LLC, CITY OF SANTA
14 CLARA and SANTA CLARA STADIUM AUTHORITY

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 OAKLAND DIVISION

18 ABDUL NEVAREZ, PRISCILLA
19 NEVAREZ, and SEBASTIAN
20 DEFRAZESCO, on behalf of
21 themselves and all others similarly
22 situated,

23 Plaintiffs,

24 v.

25 FORTY NINERS FOOTBALL
26 COMPANY, LLC, a Delaware limited
27 liability company; FORTY NINERS SC
28 STADIUM COMPANY, LLC, a
Delaware limited liability company;
NATIONAL FOOTBALL LEAGUE;
CITY OF SANTA CLARA; SANTA
CLARA STADIUM AUTHORITY;
TICKETMASTER ENTERTAINMENT,
INC.; FORTY NINERS STADIUM
MANAGEMENT COMPANY LLC; and
DOES 1-10, Inclusive,

Defendants.

Case No. 4:16-cv-07013-HSG

**STIPULATION AND ORDER ADVANCING
HEARING DATE ON DEFENDANTS'
MOTION TO MODIFY THE SETTLEMENT
ORDER FOR AN EXTENSION OF TIME
FOR THE CITY OF SANTA CLARA
PEDESTRIAN RIGHTS OF WAY
REMEDIATION**

Date: December 14, 2023

Time: 2:00 p.m.

Place: Courtroom 2

Judge: Hon. Haywood S. Gillam, Jr.

25
26 **THIS STIPULATION** is hereby entered into by and between Plaintiffs Abdul Nevarez,
27 Priscilla Nevarez, and Plaintiff Sebastian DeFrancesco on behalf of themselves and all others
28

1 similarly situated (collectively, “Plaintiffs”), and Defendants the City of Santa Clara and the
2 Santa Clara Stadium Authority (collectively, “Santa Clara”), by and through their respective
3 counsel of record, as follows:

4 **WHEREAS**, Santa Clara’s Motion to Modify the Settlement Order for an Extension of
5 Time for the City of Santa Clara Pedestrian Rights of Way Remediation (ECF No. 487) is
6 currently set for December 14, 2023, and

7 **WHEREAS**, the relief requested therein is an extension of time for the deadline to
8 remediate certain specific conditions in the Pedestrian Right of Way (the “subject conditions”)
9 from January 23, 2024 to December 31, 2025, and

10 **WHEREAS**, Santa Clara respectfully requests that the Court advance the hearing date for
11 the motion because the current hearing date of December 14, 2023’s proximity to the current
12 remediation deadline of January 23, 2024 means Santa Clara would have to immediately expend
13 resources related to the remediation of the subject conditions that would prove unnecessary
14 should the Court grant the motion, and

15 **WHEREAS**, Plaintiffs will oppose the motion but will stipulate to an earlier hearing date
16 of November 16, 2023,

17 **NOW, THEREFORE, IT IS HEREBY STIPULATED** as follows:

18 1. Defendants’ Motion to Modify the Settlement Order for an Extension of Time for
19 the City of Santa Clara Pedestrian Rights of Way Remediation, currently set for December 14,
20 2023, shall be advanced to **November 16, 2023 at 2pm**.

21 **IT IS SO STIPULATED.**

22 Dated: September 29, 2023

23 Respectfully submitted,

24 GOLDSTEIN, BORGEN, DARDARIAN & HO

25 /s/ Andrew P. Lee

26 Andrew P. Lee

27 Attorneys for Plaintiffs and the Certified Classes

1
2 Dated: September 29, 2023
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RANKIN, SHUEY, RANUCCI, MINTZ,
LAMPASONA & REYNOLDS

4 */s/ Maria Lampasona*
5 Maria M. Lampasona
6 Attorneys for Defendants
7 CITY OF SANTA CLARA, SANTA CLARA
8 STADIUM AUTHORITY

9
10 **SIGNATURE ATTESTATION**
11

12 The e-filing attorney hereby attests that concurrence in the content of the document and
13 authorization to file the document has been obtained from each of the other signatories indicated
14 by a conformed signature (/s/) within this e-file document.

15 Dated: September 29, 2023

16 */s/ Maria Lampasona*

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1 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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4 Dated: 9/29/2023

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Hon. Haywood S. Gilliam, Jr.
United States District Judge

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